



THE ATTORNEY GENERAL OF TEXAS

AUSTIN, TEXAS 78711

JOHN L. HILL
ATTORNEY GENERAL

July 15, 1975

The Honorable Richard C. Gibson
The University of Texas System
Law Office
601 Colorado Street
Austin, Texas 78701

Open Records Decision No. 102

Re: List of teachers at art
department who requested
student evaluation of their courses.

Dear Mr. Gibson:

Pursuant to section 7 of the Open Records Act, article 6252-17a, V. T. C. S., you have asked if the identity of teachers in the art department of the University of Texas at Austin who requested or obtained student evaluations of their courses is excepted from required public disclosure by section 3(a)(2), excepting "information in personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

You explain that each faculty member has the option to request a student evaluation of his course, but is not required to do so. "However, an evaluation is very useful when a faculty member is being considered for promotion." If the faculty member requests a student evaluation and the results are compiled by the Measurement and Evaluation Center, the results are returned to the faculty member who may then dispose of them, give them to his departmental chairman, include them in his personnel record, or deal with them in any manner he chooses. The faculty member also has the option to obtain evaluations of his performance by colleagues.

You contend, in essence, that disclosure of the faculty member's decision about whether or not to submit to an evaluation would be a clearly unwarranted invasion of personal privacy.

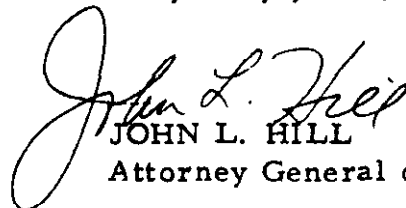
In Open Records Decision No. 90 (1975), we stated that the contents of written evaluations and comments made by college faculty members regarding a colleague, while open to the individual who is the subject of the evaluations, were not required to be disclosed to members of the public. See also Open Records Decision No. 55 (1974).

In our opinion, however, the confidentiality of the contents of such evaluations should not be extended to embrace the fact of a faculty member's decision about whether or not to submit to the evaluation. In Open Records Decision No. 88 (1975), we held that, even though the contents of an accident report filed with the Texas Department of Public Safety was expressly made confidential by section 47 of article 6701d, V. T. C. S., the mere fact of whether a person has filed an accident report is public information and should be disclosed. See also Attorney General Opinion H-223 (1974).

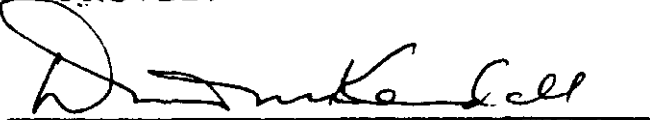
We believe that the analogy is clear.


The mere fact that a teacher has requested a student evaluation of his course does not constitute the kind of information disclosure of which would constitute a clearly unwarranted invasion of personal privacy under section 3(a)(2). Accordingly, it is our decision that information concerning whether teachers in the art department at the University of Texas at Austin requested or obtained student evaluations of their courses is public information and should be disclosed.

Very truly yours,


JOHN L. HILL
Attorney General of Texas

APPROVED:


DAVID M. KENDALL, First Assistant


C. ROBERT HEATH, Chairman
Opinion Committee

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